

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:02CR415
)	
v.)	
)	
PATRICK RUSSELL,)	ORDER
)	
Defendant.)	
)	

This matter is before the Court on defendant's motion to request modification of sentence pursuant to Title 18 U.S.C. 3582(c)(2) (Filing No. 39). Pursuant to the retroactive amendment to the cocaine base guidelines, the defendant's final offense level is reduced from 35 to 33. His criminal history category remains at II. The Court finds that his sentence should be reduced to one hundred fifty-one (151) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Accordingly,

IT IS ORDERED:

1) Said motion to reduce sentence is granted; the sentence of the defendant is reduced to one hundred fifty-one (151) months. He shall receive credit for all time previously served.

2) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 2nd day of December, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court